

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL and ALECIA FLOOD,  
individually and as Parents and Natural  
Guardians of TYLER FLOOD, a minor,

Plaintiffs,

vs.

GEORGE VILLEGAS, JR. and PAM  
VILLEGAS, individually and as Parents  
and Natural Guardians of MEGAN  
VILLEGAS; DAVID and CHRISTY  
SHERK, individually and as Parents and  
Natural Guardians of K.S., a minor; DAVID  
and CHRISTINE SEAMAN, individually  
and as Parents and Natural Guardians of  
C.S., a minor; CRIS and KIMBERLY  
SALANCY, individually and as Parents  
and Natural Guardians of E.S., a minor;  
DAVID and LYNN REINA, individually and  
as Parents and Natural Guardians of H.R.,  
a minor; SENECA VALLEY SCHOOL  
DISTRICT; BUTLER COUNTY DISTRICT  
ATTORNEY'S OFFICE; and BUTLER  
COUNTY, PENNSYLVANIA,

Defendants.

Civil Action No.: 2:18-cv-01310-MRH

HONORABLE MARK R. HORNAK

**PLAINTIFFS' MOTION FOR EXTENSION  
OF TIME TO RESPOND TO RULE 12 MOTIONS**

AND NOW, come the Plaintiffs, Michael and Alecia Flood, individually and as Parents and Natural Guardians of Tyler Flood, a minor, by and through their attorneys, Craig L. Fishman, Esquire and Shenderovich, Shenderovich & Fishman, P.C. and file the following Motion for Extension of Time to Respond to Rule 12 Motions:

1. All Defendants other than David and Lynn Reina, individually and as Parents and Natural Guardians of H.R., a minor, filed Rule 12 Motions between November 29, 2018 and December 4, 2018.

2. The Court's standard practice requires that a Plaintiff respond to a Rule 12 Motion or amend the Complaint within 14 days of the date of service of the Motion.

3. Accordingly, Plaintiffs must respond to the Rule 12 Motions or amend the Complaint between December 13, 2018 and December 18, 2018.

4. Plaintiffs' counsel, Attorney Fishman, has a vacation in Florida scheduled for December 8, 2018 through December 15, 2018 followed by days off for Christmas and New Year's Day.

5. Plaintiffs' counsel requests an extension of time until January 11, 2019 to respond to Defendants' Rule 12 Motions or amend the Complaint.

6. Counsel for all Defendants have no objection to the extension.

7. David Reina and Lynn Reina, individually and as Parents and Natural Guardians of H.R., a minor, are not represented by counsel. I emailed David and Lynn Reina on December 4, 2018 requesting that they consent to the extension of time. Two separate email chains are attached as **Exhibit 1**. The emails reflect that Mrs. Reina asked me for legal advice. Note that I am a Senior Hearing Committee Member serving the Disciplinary Board of the Supreme Court of Pennsylvania on a *pro bono* basis. Pennsylvania Rule of Professional Conduct 4.3(b) prevents an attorney from providing advice to unrepresented opposing parties because such advice constitutes an impermissible conflict of interest. I advised Mrs. Reina that I could not provide her with legal advice as it would constitute an impermissible conflict of interest. Lynn Reina,

apparently irate with my refusal to provide her with legal advice, indicated that she will not consent to my request for an extension of time.

8. No party will suffer prejudice if this Motion is granted.

WHEREFORE, the Plaintiffs, Michael Flood and Alecia Flood, individually and as Parents and Natural Guardians of T.F., a minor, respectfully request this Court enter an Order granting an extension of time until January 11, 2019 in which to respond to the pending Rule 12 Motions or amend their Complaint.

Respectfully submitted,

Shenderovich, Shenderovich & Fishman, P.C.

By: /s/ Craig L. Fishman

Craig L. Fishman, Esquire  
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Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

All parties represented by counsel have been served by the Court's CM/ECF system. David Reina and Lynn Reina are unrepresented, and have been served with this document via email at the email addresses listed on their Waiver of the Service of Summons forms as follows:

Lynn Reina ([shields148@hotmail.com](mailto:shields148@hotmail.com))

David Reina ([pghsteelers74@hotmail.com](mailto:pghsteelers74@hotmail.com))

The unrepresented Defendants were also served via First Class United States Mail, postage prepaid, as follows:

Mr. David Reina  
5A River Road  
Pittsburgh, PA 15238

Ms. Lynn Reina  
103 Green Gables Manor  
Zelienople, PA 16063

/s/ Craig L. Fishman  
Craig L. Fishman, Esquire  
Attorney for Plaintiffs